



STATE OF WISCONSIN

Assembly Journal

Ninety-Eighth Regular Session

MONDAY, April 30, 2007

The Chief Clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly amendment 1 to Assembly amendment 1 to **Assembly Bill 8** offered by Representatives Schneider and Albers.

Assembly amendment 1 to **Assembly Bill 171** offered by Representatives Mursau and Murtha.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 50

Relating to: memorializing Congress to approve SeniorCare.

By Representatives Tauchen, Mursau, Nygren, Nerison, Davis, M. Williams, Moulton, Van Roy, Murtha, Kreuser, Richards, Petersen, Gronemus, A. Ott, Wasserman, Nelson, Wieckert, Hintz, Petrowski, Seidel, Gunderson, Steinbrink, Smith, Hixson, Hines, Hraychuck, Krusick, Wood, Hebl, Shilling, Sheridan, Vruwink, Soletski, Garthwaite, Mason, J. Fitzgerald, Huebsch, Hilgenberg, Molepske, Sinicki, Suder, Rhoades, Townsend, Montgomery, Hubler, J. Ott, Boyle, Staskunas, Berceau and Meyer; cosponsored by Senators Plale, Cowles, Darling, Carpenter, Kapanke, Lassa, Schultz and Roessler.

To committee on **Rules**.

Assembly Joint Resolution 51

Relating to: memorializing Congress to approve SeniorCare.

By Representatives Nelson, Krusick, Travis, Toles, Sinicki, Molepske, Sheridan, Vruwink, Garthwaite, Van Akkeren, Hintz, Jorgensen, Turner, Hixson, Fields, Seidel, Shilling, Pope-Roberts, Hraychuck, Kreuser, Hubler, Boyle, Hilgenberg, Smith, Young, Zepnick, Soletski, Steinbrink, Benedict, Wasserman, Richards, Hebl, Berceau, Gronemus and Mason; cosponsored by Senators Plale, Wirsch, Sullivan,

Taylor, Coggs, Hansen, Lehman, Risser, Roessler, Lassa and Carpenter.

To committee on **Rules**.

Assembly Bill 289

Relating to: an official state language, encouragement of cultural diversity, use of English for governmental written expression, acquiring language proficiency, and use of languages for nongovernmental purposes.

By Representatives Schneider, Lothian, Hahn, F. Lasee, A. Ott, Townsend, Gunderson, Bies and Petrowski; cosponsored by Senators A. Lasee, Roessler, Darling and Leibham.

To committee on **Jobs and The Economy**.

Assembly Bill 290

Relating to: requiring funding for bills imposing state mandates on local units of government.

By Representatives Wieckert, Roth, M. Williams, Gronemus, Owens, Vruwink, Davis, Nygren, LeMahieu, Hahn, Townsend, Petersen, Jeskewitz, Ballweg, Lothian, Musser, Bies, J. Ott, Petrowski, Hines, Gunderson and F. Lasee; cosponsored by Senators Grothman, Darling, Roessler, Leibham and Kapanke.

To committee on **Urban and Local Affairs**.

Assembly Bill 291

Relating to: a loan program for veterinary medicine students who agree to provide veterinary medical services to food-producing animals in this state, requiring the exercise of rule-making authority, and making an appropriation.

By Representatives Hines, A. Ott, Albers, Benedict, Berceau, Gronemus, Gunderson, Hixson, Molepske, Montgomery, Mursau, Musser, Owens, Townsend, Van Roy and Wasserman; cosponsored by Senators Lassa, Harsdorf, Kreitlow, Olsen, Roessler, Schultz, Plale and Vinehout.

To committee on **Public Health**.

Assembly Bill 292

Relating to: expanding eligibility for the veterans and surviving spouses property tax credit.

By Representatives Vruwink, Boyle, Sheridan, Kreuser, Lothian, Travis, Hixson, Molepske, Jorgensen, Mason, Berceau, Bies, Sinicki, Van Roy, Townsend, Hraychuck and A. Williams; cosponsored by Senators Lehman, Erpenbach, Kreitlow, Lassa, Leibham, Roessler, Plale and Sullivan.

To committee on **Veterans and Military Affairs**.

Assembly Bill 293

Relating to: exempting an assessor and an assessor's staff from liability for trespassing and creating immunity from civil liability.

By Representatives A. Ott, Mursau, Sinicki, Ballweg, Hubler, Musser, Molepske, Hahn, Turner, Hines, Townsend, Lothian, Tauchen, Van Roy, Jeskewitz, Nygren, Strachota, Friske and Gunderson; cosponsored by Senators Breske, Cowles, Coggs, Lassa and Lehman.

To committee on **Rural Economic Development**.

Assembly Bill 294

Relating to: a state electrical wiring code; regulation of electricians, electrical contractors, and electrical inspectors; inspections of electrical wiring; regulation of electrical wiring; regulation of heating and air conditioning contractors by a county with a population of 500,000 or more; and granting rule-making authority.

By Representatives A. Ott, Mursau, Sheridan, Gottlieb, Nelson, Tauchen, Hubler, Hahn, Berceau, Kestell, Travis, Pope-Roberts, Van Roy, Richards, Mason, Kreuser, Nerison, Boyle, Turner, Hintz, Gunderson, Gronemus, Jorgensen, Zepnick, Nygren, Shilling, Sinicki, Moulton, Hixson, Molepske, Schneider, Petersen, Smith, Hraychuck and Parisi; cosponsored by Senators Decker, Olsen, Hansen, Lassa, Lehman, Sullivan, Roessler, Breske, Cowles, Kreitlow, Erpenbach, Coggs, Wirsch, Grothman, Plale, Miller and Vinehout.

To committee on **Labor and Industry**.

Assembly Bill 295

Relating to: public access to voter registration identification numbers.

By committee on Elections and Constitutional Law.

To committee on **Elections and Constitutional Law**.

Assembly Bill 296

Relating to: issuing hunting and fishing approvals to members of the U.S. armed forces who are former residents of this state.

By Representatives Gunderson, Musser, Albers, Berceau, Bies, Gronemus, Hahn, Hraychuck, Hubler, Kleefisch, Jorgensen, Montgomery, Mursau, Murtha, Nerison, Petrowski, Suder, Turner and Vos; cosponsored by Senators Kreitlow, Grothman, Breske, A. Lasee, Lassa, Olsen, Roessler, Schultz and Sullivan.

To committee on **Natural Resources**.

Assembly Bill 297

Relating to: the regulation of certain structures in navigable waters and granting rule-making authority.

By Representatives Gunderson, Kleefisch, Kreuser, Albers, Ballweg, Bies, Hahn, Kaufert, Kerkman, LeMahieu, Lothian, Montgomery, Mursau, Musser, Nelson, Nygren, Soletski, Staskunas, Tauchen, Townsend, Vruwink and Vukmir; cosponsored by Senators Breske, Kedzie, Darling, Plale and Roessler.

To committee on **Natural Resources**.

Assembly Bill 298

Relating to: permitting certain individuals to make written requests for medication for the purpose of ending their lives, and providing penalties.

By Representatives Boyle, Berceau and Pocan; cosponsored by Senators Risser, Jauch and Carpenter.

To committee on **Judiciary and Ethics**.

Assembly Bill 299

Relating to: temporarily excluding improvements to a principal dwelling from the assessment of property taxes.

By Representatives Sherman, Berceau, Zepnick, Pridemore, Gronemus and Hilgenberg; cosponsored by Senator Lehman.

To committee on **Ways and Means**.

Assembly Bill 300

Relating to: rail security and providing a penalty.

By Representatives Molepske, Hahn, Lothian, Gronemus, Boyle, Sheridan, Sinicki, Bies, Travis, Turner, A. Williams and Zepnick; cosponsored by Senators Hansen, Schultz, Plale, Lassa, Breske and Wirsch.

To committee on **Transportation**.

COMMITTEE REPORTS

The committee on **Insurance** reports and recommends:

Assembly Bill 107

Relating to: creating a nonrefundable individual income tax credit for certain medical care insurance policy premiums.

Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption:

Ayes: 12 – Representatives F. Lasee, Nygren, Montgomery, Van Roy, Ballweg, Moulton, Kramer, Cullen, Berceau, Ziegelbauer, Parisi and Hilgenberg.

Noes: 0.

Assembly Substitute Amendment 1 adoption:

Ayes: 12 – Representatives F. Lasee, Nygren, Montgomery, Van Roy, Ballweg, Moulton, Kramer, Cullen, Berceau, Ziegelbauer, Parisi and Hilgenberg.

Noes: 0.

Passage as amended:

Ayes: 12 – Representatives F. Lasee, Nygren, Montgomery, Van Roy, Ballweg, Moulton, Kramer, Cullen, Berceau, Ziegelbauer, Parisi and Hilgenberg.

Noes: 0.

To joint committee on **Finance**.

FRANK LASEE

Chairperson

Committee on Insurance

The committee on **Public Health** reports and recommends:

Assembly Bill 185

Relating to: the birth defect prevention and surveillance system.

Assembly Substitute Amendment 1 adoption:

Ayes: 8 – Representatives Hines, Vukmir, Moulton, Nerison, Benedict, Wasserman, Schneider and Black.

Noes: 0.

Passage as amended:

Ayes: 8 – Representatives Hines, Vukmir, Moulton, Nerison, Benedict, Wasserman, Schneider and Black.

Noes: 0.

To committee on **Rules**.

J.A. HINES
Chairperson
Committee on Public Health

The committee on **Natural Resources** reports and recommends:

Clearinghouse Rule 06–104

Relating to: the establishment of provisions for major electric generating units in Wisconsin to comply with the Clean Air Interstate Rule (CAIR) promulgated by the U.S. Environmental Protection Agency.

Objection:

Ayes: 8 – Representatives Gunderson, J. Ott, Bies, LeMahieu, M. Williams, Moulton, Nerison and Mursau.

Noes: 5 – Representatives Black, Molepske, Hraychuck, Hebl and Mason.

To joint committee for review of **Administrative Rules**.

SCOTT GUNDERSON
Chairperson
Committee on Natural Resources

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 26

Senate Joint Resolution 40

Senate Joint Resolution 44

Passed and asks concurrence in:

Senate Bill 7

Senate Bill 20

Senate Bill 48

Senate Bill 63

Senate Bill 80

Senate Bill 110

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 26

Relating to: recognizing Alexis Deignan for her selection as Miss Wisconsin Preteen.

By Senator Kreitlow; cosponsored by Representative Moulton.

To committee on **Rules**.

Senate Joint Resolution 40

Relating to: designating April 24 as Wisconsin Day of Remembrance for the Armenian Genocide of 1915 to 1923.

By Senator Plale.

To committee on **Rules**.

Senate Joint Resolution 44

Relating to: the life and public service of Virginia B. Hart.

By Senator Risser; cosponsored by Representative Berceau.

To committee on **Rules**.

Senate Bill 7

Relating to: revisions in terminology that affect mobile homes, manufactured homes, modular homes, manufactured buildings, recreational vehicles, and mobile and manufactured home communities, and changes that apply to monthly fees collected by certain local governmental units.

By Senators Lassa, Roessler, Breske, Plale, Wirsch, Grothman, Schultz, Olsen and Leibham; cosponsored by Representatives Townsend, Vruwink, Nass, Hines, Hahn, Kerkman, Wood, Suder, Molepske, Montgomery, Seidel, Petrowski, Davis, Bies, M. Williams, Vos, Hebl, Hraychuck, Kleefisch and Gunderson.

To committee on **Housing**.

Senate Bill 20

Relating to: special distinguishing registration plates for fire fighters and groups that are military in nature.

By Senators Hansen, Sullivan, Coggs, Cowles, Wirsch, Plale, Schultz, Leibham and Grothman; cosponsored by Representatives Musser, Soletski, Nelson, Berceau, Turner, Black, Bies, Mursau, Van Roy, Smith and Sheridan.

To committee on **Small Business**.

Senate Bill 48

Relating to: expanding types of volunteer health care providers to include pharmacists and pharmacy technicians.

By Senators Robson, Lehman, Roessler, Wirsch, Breske, Olsen, Risser, Schultz, Plale, Lassa, Erpenbach and Kreitlow; cosponsored by Representatives Vukmir, Benedict, Sheridan, Turner, Hahn, Black, Mursau, Musser, Seidel, Townsend, Berceau, F. Lasee, Hraychuck, Gronemus, Boyle, Nygren, Ballweg, Kleefisch, Hilgenberg, Molepske, Gunderson and Sinicki.

To committee on **Public Health**.

Senate Bill 63

Relating to: the provision of taste samples of fermented malt beverages and wine on certain retail premises.

By Senators Kreitlow, Breske, Carpenter, Darling, Erpenbach, Grothman, Hansen, Jauch, Kanavas, Lassa, Lehman, Plale, Schultz, Leibham, Taylor, Sullivan and

Kedzie; cosponsored by Representatives Newcomer, Richards, Albers, Berceau, Fields, Grigsby, Hahn, Hines, Honadel, Jeskewitz, Kessler, F. Lasee, Molepske, Mursau, Musser, A. Ott, Petersen, Pocan, Pridemore, Sinicki, Stone, Townsend, Van Roy, Vruwink, Wood, Young, Murtha, Kramer, Nygren, Gunderson and J. Ott.

To committee on **Rules**.

Senate Bill 80

Relating to: the regulation of traveling sales crews, requiring the exercise of rule-making authority, and providing penalties.

By Senators Erpenbach, Robson, Hansen, Roessler, Lehman, Kanavas, Lassa, Risser and Coggs; cosponsored by Representatives Pope-Roberts, Travis, Sheridan, Hahn, Gronemus, Berceau, Townsend, Steinbrink, Sinicki, Van Akkeren and Pocan.

To committee on **Transportation**.

Senate Bill 110

Relating to: refusal by the Department of Natural Resources to reveal electronic mail addresses of subscribers.

By Senators Kreitlow, Hansen, Breske, Lehman, Schultz, Darling, Risser, Sullivan, Cowles, Lassa and Miller; cosponsored by Representatives Gunderson, Ballweg, Lothian, Albers, Kreuser, Gottlieb, Hahn, Cullen, LeMahieu, Mursau, Kestell, Hixson, Boyle, Hines, Musser, Berceau, M. Williams, Vruwink, Townsend, Nass, Molepske, Kleefisch, Nerison, Gronemus, Steinbrink, Sinicki and Moulton.

To committee on **Consumer Protection and Personal Privacy**.

ENROLLED BILLS AND JOINT RESOLUTIONS

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

Assembly Bill 122

Assembly Bill 123

Assembly Bill 206

Assembly Joint Resolution 41

PATRICK E. FULLER
Assembly Chief Clerk

REFERENCE BUREAU CORRECTIONS

Senate Joint Resolution 44

1. Page 1, line 14: delete "25th" and substitute "24th".

SPEAKER'S COMMUNICATIONS

April 30, 2007

Patrick Fuller, Chief Clerk
Wisconsin State Assembly
Risser Justice Center, Room 401
Madison, WI 53708

Dear Chief Clerk Fuller:

Pursuant to Wisconsin State Statute Section [15.155\(5\)](#), I have appointed Representative Terry Moulton to the Small Business Regulatory Review Board.

Sincerely,
MIKE HUEBSCH
Assembly Speaker

April 30, 2007

Patrick Fuller, Chief Clerk
Wisconsin State Assembly
Risser Justice Center, Room 401
Madison, WI 53708

Dear Chief Clerk Fuller:

Pursuant to Assembly Rule [42\(3\)\(c\)](#), I am withdrawing Senate Bill 80 from the Assembly Committee on Transportation and re-referring it to the Assembly Committee on Small Business. I have the consent of Representative Petrowski, chairman of the Assembly Committee on Transportation, to take this action.

I am also withdrawing Senate Bill 20 from the Assembly Committee on Small Business and re-referring it to the Assembly Committee on Transportation. I have the consent of Representative Moulton, chairman of the Assembly Committee on Small Business, to take this action.

Please call Jodi Jensen of my office if you have any questions.

Sincerely,
MIKE HUEBSCH
Assembly Speaker

COMMUNICATIONS

April 25, 2007

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53708

Dear Chief Clerk Fuller:

Please add my name as a co-sponsor of Senate Joint Resolution 43, relating to urging the president to extend SeniorCare.

Sincerely,
KIM HIXSON
State Representative
43rd Assembly District

State of Wisconsin
Office of Energy Independence
Madison

April 30, 2007

April 26, 2007

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53708

Dear Chief Clerk Fuller:

I hereby request that I be added as a co-sponsor to 2007 Assembly Bill 76.

Regards,
TERRY MOULTON
State Representative
68th Assembly District

To the Honorable, the Legislature:

As required by s. [16.045\(5\)](#) Wis. Stats., I am submitting the annual Wisconsin Biofuels and Alternative Fuel Use Report for distribution to the appropriate standing committees.

Should you or Legislative members have questions, please contact me at 608-261-6609.

Sincerely,
JUDY ZIEWACZ
Director

Referred to committee on **Biofuels and Sustainable Energy**.

State of Wisconsin
Department of Administration
Madison

April 30, 2007

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

April 18, 2007

To the Honorable, the Legislature:

This letter accompanies the State of Wisconsin Minority Business Report for Fiscal Year 2006. The report, required under §[16.75\(3m\)\(c\)4](#), Wis. Stats., provides information on State purchases made with minority business enterprises (MBE) certified by the Wisconsin Department of Commerce.

Overall MBE purchasing rose from \$46,066,169 in Fiscal 2005 to \$48,352,422 in Fiscal 2006. The Fiscal 2006 figure represents 2.81% of overall spending, up from 2.78% in Fiscal 2005.

The majority of MBE spending continues to occur in the area of general purchasing by State agencies and campuses. We are pleased to report that general MBE purchasing increased by \$986,176 from Fiscal 2005 (\$23,909,746) to Fiscal 2006 (\$24,895,922).

State agencies and campuses share your commitment to work with Wisconsin's minority business community. The initiatives now underway will provide agencies and vendors with the tools needed to increase State purchasing with minority owned businesses.

Sincerely,
MICHAEL L. MORGAN
Secretary

Referred to committee on **Small Business**.

To the Honorable, the Legislature:

This report is transmitted as required by s. [20.002\(11\)\(f\)](#), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. [13.172\(3\)](#), Wisconsin Statutes) and confirms that the Department of Administration has found it necessary to exercise the "temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of March 2007.

On March 30, 2007, the General Fund cash balance closed at a negative \$37.3 million. The negative balance was due to the difference in the timing of revenues and expenditures.

On March 1, 2007, the Conservation Fund cash balance closed at a negative \$4.3 million. This negative balance continued through March 15, 2007, when the fund's cash balance closed at a positive \$19.2 million. The Conservation Fund cash balance reached its intra-month low of a negative \$5.9 million on March 7, 2007. The negative balance was due to the difference in the timing of revenues and expenditures.

On March 1, 2007, the Wisconsin Health Education Loan Repayment Fund cash balance closed at a negative \$2.0 thousand. This negative balance continued through March 30, 2007, when the fund's cash balance closed at a negative \$2.0 thousand. The negative balance was due to the difference in the timing of revenues and expenditures.

The General Fund, Conservation Fund and Wisconsin Health Education Loan Repayment Fund shortfalls were not in excess of the statutory interfund borrowing limitations and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund's share. Therefore, the monthly calculation by

the State Controller's Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,
MICHAEL L. MORGAN
Secretary

Referred to committee on **Ways and Means**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

April 27, 2007

To the Honorable, the Assembly:

At your request, we have completed a limited-scope review of how the Department of Commerce and the Wisconsin Technical College System (WTCS) have spent funds from the Fire Department Dues Program in recent years.

Commerce is appropriated funds to administer a statewide fire inspection and prevention program. In fiscal year (FY) 2005-06, its expenditures totaled \$641,900, 65.6 percent of which supported the salaries and fringe benefits of 6.6 full-time equivalent (FTE) positions that are responsible for distributing program funds to municipalities and training fire department staff in inspection duties. In FY 2005-06,

Commerce charged \$92,700 in overhead costs to the program, representing 14.4 percent of its expenditures for administering the program.

WTCS is appropriated program funds for two purposes: to administer fire prevention and protection training programs and to offer training courses to local firefighters in technical college districts. In FY 2005-06, its expenditures for administration of the program totaled \$435,000, 41.2 percent of which supported salary and fringe benefit costs for 3.0 FTE positions in the central office. In FY 2005-06, WTCS spent \$117,500 for supplies, primarily to purchase office furniture and supplies for the program as part of WTCS's move to new offices, and charged \$15,800 in overhead costs to the program, representing 3.6 percent of its expenditures for administering the program.

In recent years, WTCS has spent almost all of the \$600,000 it has been appropriated annually for conducting training courses in technical college districts. However, until recently it has not spent all of the funds appropriated to it for administration of the program. Funds for administration of the program that are not spent or encumbered do not lapse but instead remain in the appropriation. At the end of FY 2005-06, unspent funds, which are available for reallocation by the Legislature, totaled \$308,000.

We appreciate the courtesy and cooperation extended to us by Commerce and WTCS.

Sincerely,
JANICE MUELLER
State Auditor